

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

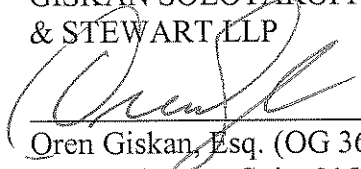
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DAVID FEIGE, On Behalf of Himself and All :  
Other Persons Similarly Situated, :  
 : Case No. 07 cv 8539 (AKH)  
Plaintiff, : **STIPULATION OF DISMISSAL**  
-against- :  
 :  
RCN CORPORATION, :  
 :  
Defendant. :  
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IT IS HEREBY STIPULATED AND AGREED by and between counsel to the parties in the above-captioned litigation, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, that the case, including all claims and defenses, is hereby dismissed with prejudice with each party to bear its own costs and expenses.

Dated: New York, New York  
June 12, 2009

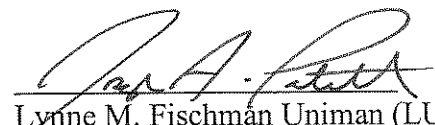
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